



General Assembly

Substitute Bill No. 863

January Session, 2001

AN ACT CONCERNING NURSING HOME STAFFING LEVELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 19a-522 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 [(a) On or before December 1, 1975, the commissioner shall, in
4 accordance with chapter 54, adopt regulations]

5 (a) The Commissioner of Public Health shall adopt regulations, in
6 accordance with chapter 54, concerning the health, safety and welfare
7 of patients in nursing home facilities, classification of violations
8 relating to such facilities, medical staff qualifications, record-keeping,
9 nursing service, dietary service, personnel qualifications and general
10 operational conditions.

11 (b) (1) As used in this subsection, "direct care" means hands-on-care
12 provided to residents of nursing home facilities, including, but not
13 limited to, feeding, bathing, toileting, dressing, lifting and moving
14 such residents, but does not include food preparation, housekeeping or
15 laundry services, except when such services are required to meet the
16 needs of any such resident on an individual situational basis.

17 (2) The department shall not issue a license to or renew the license
18 of a nursing home facility unless such facility employs sufficient direct
19 care provider staff needed to provide continuous twenty-four-hour

20 direct care services to meet the needs of each resident in such facility.

21 (3) Not later than October 1, 2001, each nursing home facility shall
22 maintain aggregate direct care provider staffing levels at or above the
23 following standards:

24 (A) During the day shift, one full-time employee for each five
25 residents;

26 (B) During the evening shift, one full-time employee for each ten
27 residents; and

28 (C) During the night shift, one full-time employee for each fifteen
29 residents.

30 (4) Any licensed nursing home facility that fails to comply with the
31 minimum staffing requirements of subdivision (3) of this subsection on
32 any day shall submit a report to the department, identifying the day on
33 which and the shift during which such noncompliance occurred and
34 specifying the reasons for and circumstances surrounding such
35 noncompliance. The report required by this subdivision shall be
36 submitted on a quarterly basis. If such facility fails to submit any
37 report required by this subdivision or intentionally misrepresents the
38 information contained in any such report, or if the commissioner
39 determines that there is sufficient evidence to support a finding that
40 there exists a pattern of noncompliance by such facility with the
41 minimum staffing requirements of subdivision (3) of this subsection,
42 the commissioner may take action against such facility in accordance
43 with sections 19a-524 to 19a-528, inclusive.

44 (c) Nursing home facilities shall post in a conspicuous place and
45 manner both the direct care staff levels required under this section and
46 the actual direct care staff on duty at such nursing home facility on a
47 daily basis.

48 [(b)] (d) Nursing home facilities may not charge the family or estate
49 of a deceased self-pay patient beyond the date on which such patient

50 dies. Nursing home facilities shall reimburse the estate of a deceased
51 self-pay patient within sixty days after the death of such patient, for
52 any advance payments made by or on behalf of the patient covering
53 any period beyond the date of death. Interest, in accordance with
54 subsection (a) of section 37-1, on such reimbursement shall begin to
55 accrue from the date of such patient's death.

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